

ROBERT E. ATKINSON, ESQ.  
Nevada Bar No. 9958  
Email: [robert@kensingtonhartnett.com](mailto:robert@kensingtonhartnett.com)  
**KENSINGTON HARTNETT LAW**  
10120 S Eastern Ave, Suite 201  
Henderson, NV 89052  
Telephone: (702) 617-3200  
Facsimile: (702) 614-0647  
*Attorney for CIRAS, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CIRAS, LLC,  
Plaintiff;  
v.

R. WAYNE ZIEGLER, an individual; and  
CARSON VALLEY GARDEN & RANCH  
CENTER, LLC, a Nevada limited-liability  
company;

Defendants.

CASE No. 10-cv-02019

**MOTION FOR  
ORDER SHORTENING TIME**

By and through counsel, Plaintiff CIRAS, LLC ("Plaintiff" or "Judgment Creditor") hereby moves this Court for an Order Shortening Time permitting the hearing of the contemporaneously docketed Motion to Sell Perishable Property ("Motion to Sell") (Docket Entry #40). The Motion to Sell seeks to allow the sale of perishable property obtained under execution.

This Motion for OST is made and based on: the arguments set forth herein; the pleadings in this case; and the *Affidavit of Michael O'Dell in Support of the Ex Parte Motion to Sell Perishable Property and for Order Shortening Time* ("O'Dell Afft.") attached herewith.

DATED: April 13, 2011

**KENSINGTON HARTNETT LAW**

/s/Robert Atkinson

ROBERT ATKINSON, ESQ.  
Nevada Bar No. 9958  
*Attorney for Plaintiff*

**MEMORANDUM OF POINTS AND AUTHORITIES**

1           1.     The scope of the requested action is to allow Plaintiff to sell the perishable items that were  
2     obtained in the execution of judgment. Specifically, there are several hundred high maintenance trees  
3     that may become unsellable due to the length of time required to adjudicate these issues. Good cause  
4     exists because this matter could take substantial time to resolve, the trees are perishable products, and  
5     they are expensive to maintain. O'Dell Afft. at ¶ 4.

6           2.     To set a hearing on this matter on normal course would prejudice Plaintiff and  
7     furthermore, the Defendant's Objection is to be heard April 14, 2011, therefore it simply would assist  
8     in the efficiency of the proceedings to hear this Motion to Sell at the same time.

9           3.     Plaintiff is spending significant money to water, maintain, and store just these perishable  
10    items. O'Dell Afft. at ¶ 5-7.

11           4.     Due to the adversarial nature of Defendants and their road-block of non-supported claims,  
12    perishable items that should have already been teed up for sale are instead sitting at a storage facility  
13    waiting for this matter to be heard by the Court.

14  
15           **Requested Relief**

16           5.     Plaintiff respectfully requests an order on shortened time, preferably set for **Thursday**  
17    **April 14, 2011, at 10:00 am** for a hearing on this matter.

18           6.     This date is preferred because it is the same date that Defendants' Objection to Attachment  
19    and Notice of Third Party Claims (DE #26) and Plaintiff's Reply (DE #30) will be heard by this  
20    Court.

21           7.     In accordance with LR 6-2, a proposed order has been docketed as an attachment.

22  
23           WHEREFORE, Plaintiff/Judgment Creditor respectfully requests granting of the relief  
24    requested herein.

25  
26    Dated: April 13, 2011

**KENSINGTON HARTNETT LAW**

27                   /s/ Robert Atkinson  
28                   ROBERT ATKINSON, ESQ.